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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/988,462

Filing Date

November 20, 2001

First Named Inventor

Michael Koziel

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Group Art Unit

TBA

AUG 08 2002

Examiner Name

TBA

TECH CENTER 1600/2900

### ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment / Reply
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) \_\_\_\_\_

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):
  1. Second Preliminary Amendment
  2. 9 References
  3. Credit Card Payment Form

Remarks

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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Gregory W. Warren, Registration No. 48,385

Syngenta Biotechnology, Inc.

Signature

*Gregory W. Warren*  
*July 29, 2002*

Date

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

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Date

*July 29, 2002*

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 08 2002

TECH CENTER 1600/29

In re application of:

KOZIEL, et al.

Serial. No. 09/988,462

Filed: November 20, 2001

For: SYNTHETIC DNA SEQUENCE  
HAVING ENHANCED ACTIVITY  
IN MAIZE

Art Unit: TBA

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Examiner: TBA

Atty Docket: 18805I

Confirmation No.: 8906

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

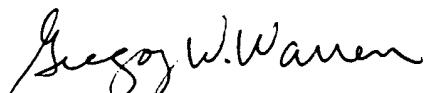
In accordance with 37 CFR §1.56, Applicants wish to call the Examiner's attention to the references cited on the attached Form PTO-1449. Copies of all references cited on the attached Form PTO-1449 are herewith enclosed.

The submission of these references is made solely for the purpose of complying with Applicant's duty of disclosure, and is not intended as a surrender of patentable subject matter nor is it intended to create prosecution history estoppel.

The Examiner is requested to consider the foregoing information in relation to this application and to indicate that each reference was considered by returning a copy of the initialed PTO 1449 forms.

In accordance with 37 CFR §1.97(b)(3), no fee is believed to be required for consideration of this statement because it is being submitted before the mailing date of a first Office Action on the merits. If a fee is deemed to be required, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 50-1744.

Respectfully submitted,



Gregory W. Warren  
Agent for Applicants  
Registration No. 48,385

Syngenta Biotechnology, Inc.  
P. O. Box 12257  
Research Triangle Park, NC 27709-2257  
Telephone: 919-541-8646  
Date: July 29, 2002

## INFORMATION DISCLOSURE CITATION

Sheet 1 of 1

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(Use several sheets if necessary)

ATTY. DOCKET NO.

18805I

APPLICATION NO.

09/988,462

APPLICANT

KOZIEL et al

FILING DATE:

November 20, 2001

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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	A						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	OFFICE	CLASS	SUBCLASS	TRANSLATION YES NO
	B	0 290 395	9/11/88	EP			<input type="checkbox"/> <input checked="" type="checkbox"/>
	C	WO 90/08825	8/9/90	WIPO			<input type="checkbox"/> <input checked="" type="checkbox"/>

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

D ✓	Battey, N.H., Calcium-Activated Protein Kinase from Soluble and Membrane Fractions of Maize Coleoptiles <i>Biochemical and Biophysical Research Communications</i> , Vol. 170, No. 1 (July 16, 1990) pp. 17-22
E ✓	Harper et al., A Calcium-Dependent Protein Kinase With a Regulatory Domain Similar to Calmodulin <i>Science</i> , Vol. 252, (May 17, 1991) pp. 951-954
F ✓	Polya et al., Ca <sup>2+</sup> -dependent protein phosphorylation in germinated pollen of Nicotiana alata, an ornamental tobacco <i>Physiologia Plantarum</i> , Vol. 67 (1986) pp. 151-158
G	Polya et al., Database Biosis Online, Biosciences Information Service, Philadelphia, PA, US; 1986: <i>Calcium-Dependent Protein Phosphorylation in Germinated Pollen of Nicotiana-Alata an Ornamental Tobacco</i> Accession No. PREV198682086815
H	Putnam-Evans et al., Database Biosis Online, Biosciences Information Service, Philadelphia, PA, US; 1989: <i>Calcium-Dependent Protein Kinase is Localized with F Actin in Plant Cells</i> Accession No. PREV19897075577
I ✓	Putnam-Evans et al., <i>Calcium-Dependent Protein Kinase is Localized With F-Actin in Plant Cells</i> <i>Cell Motility and Cytoskeleton</i> , Vol. 12 (1989) pp. 12-22
J ✓	Suen, K.L. and Choi, J.H., <i>Isolation and sequence analysis of a cDNA clone for a carrot calcium-dependent protein kinase: homology to calcium/calmodulin-dependent protein kinases and to calmodulin</i> <i>Plant Molecular Biology</i> , Vol. 17 (1991) pp. 581-590
K	

EXAMINER	DATE CONSIDERED

\*EXAMINER: Initial of reference considered, whether or not citation is in conformance with MPEP 609: Draw a line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.